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EXAMINER	
BHANDARI, PUNEET	
ART UNIT	**PAPER NUMBER**
2666	

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/943,631	SHELDON ET AL.	
	Examiner	Art Unit	
	Puneet Bhandari	2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08/30/2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 August 2001* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: In figure 1, "device 26a and 26b" should be labeled as a "router", "device 24a & 24b" should be labeled as a "switch", "device 18" should be labeled as "central device", "device 20" should be labeled as "central client", "device 22" should be labeled as "remote device" and "device 14a-14d & 16a-d" should be labeled as "end point". In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Claim Objections

2. Claims **1,15, 25 & 37** are objected to because of the following informalities:

Regarding claim **1**, on line 5, replace phrase "a network" with "the network". On line 6, replace the phrase " a video conference" with "the video conference".

Regarding claim **15**, on line 5, replace phrase "a network" with "the network". On line 11, replace the phrase " a video conference" with "the video conference". On line 17, replace the phrase "timer" with "the timer".

Regarding claim **25**, on line 4, replace phrase "a network" with "the network". On line 5, replace the phrase " a video conference" with "the video conference". On line 10, replace phrase "a network" with "the network".

Regarding claim **37**, on line 4, replace " a network" with "the network". On line 5, replace the phrase "a video conference" with the video conference".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims **1-42** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mottishaw et al (US 6,721,284) in view of Beyda et al (US 6,453,336).

Regarding claim **1**, Fig.2 of Mottishaw et al. teaches "a method for identifying errors in a packet-based network".

A step of receiving a request to monitor a network during a conference conducted between two or more end points is disclosed in column 3, lines 25-33. The reference discloses a distributed monitoring system to collect data from a packet data network and provide a real-time view of services on the network.

A step of distributing a capture agent from a central agent at a central device to a remote device in response to a request, the remote device associated with a collision domain that contains one of the two end points is disclosed in Fig. 2 or column 3, lines 35-45. The reference discloses probes (capture agent) are distributed from the Data Management Interface (central agent at a central device) to monitor the remote device.

A step of collecting a plurality of media packets associated with the conference in a capture file until a timer expires, the capture file located in a storage medium interfaced with the remote device is disclosed in column 3, lines 50-67. The reference

discloses probes are interfaced with the remote device (H.323/IP) to store the media packets for a particular session (until a timer expires).

A step of communicating the capture file from the remote device to the central device when the timer expires is disclosed in column 3, lines 54-67. The reference discloses probes forwards the data records about a particular session from the remote device to the Data Management Interface (central agent at a central device).

Mottishaw et al. fails to teach method being used in video conferencing. Fig. 1 of Beyda discloses a method of monitoring a videoconference on a network between two video conferencing capable terminals.

At the time the invention was made it would have been obvious to one in ordinary skill in the art to add video conferencing capable terminal of Beyda et al. to H.323 PC of Mottishaw et al. One in ordinary skill in art would have been motivated to do this to monitor the bandwidth requirement for video conferencing (see column 1, lines 65 –67 of Beyda et al.).

Regarding claims **2 & 26,** Mottishaw et al. further discloses in column 4, lines 10-19 the method of further comprising analyzing the media packets at the central device to determine one or more network parameters that caused an error in the videoconference. The reference discloses that distributed monitoring system is arranged to correlate real-time data from these probes to determine the network parameters that caused errors in conference.

Mottishaw et al. fails to teach method being used in video conferencing. Fig. 1 of Beyda discloses a method of monitoring a videoconference on a network between two video conferencing capable terminals.

At the time the invention was made it would have been obvious to one in ordinary skill in the art to add video conferencing capable terminal of Beyda et al. to H.323 PC of Mottishaw et al. One in ordinary skill in art would have been motivated to do this to monitor the bandwidth requirement for video conferencing (see column 1, lines 65 –67 of Beyda et al.).

Regarding claims **3, 17, 27 & 38** Mottishaw et al further discloses network parameters are selected from the group consisting of latency, jitter, throughput and packet loss in column 6, lines 45-50. The reference discloses the network performance is measured on the basis of packet loss rates, latency and jitter.

Regarding **4**, Mottishaw et al further discloses timer expires at the end of the conference in column 3, lines 54-57. The reference discloses that a probe collects the media packet for a particular session. Mottishaw et al. fails to teach method being used in video conferencing. Fig. 1 of Beyda discloses a method of monitoring a videoconference on a network between two video conferencing capable terminals.

At the time the invention was made it would have been obvious to one in ordinary skill in the art to add video conferencing capable terminal of Beyda et al. to H.323 PC of Mottishaw et al. One in ordinary skill in art would have been motivated to do this to monitor the bandwidth requirement for video conferencing (see column 1, lines 65 –67 of Beyda et al.).

Regarding claim **5**, Fig 2. Mottishaw et al further discloses a remote device located on a switch port associated with the collision domain, the switch port operable to monitor network traffic between the two or more endpoints within the collision domain. The reference discloses H.323/IP network device to monitor the traffic from GSM/IP gateway or H.323 PC (end points).

Regarding claim **6**, Fig. 2 of Mottishaw et al further discloses the step of distributing the agent from the central device to two or more remote devices respectively associated with two or more endpoints, two or more remote devices respectively located in two or more broadcast domains. The reference discloses distributing probes from the Database Management Interface to H323/IP, ISDN, POTS (remote devices) also refer column 4, lines 10-19; and

The step of storing the media packets in two or more storage medium respectively interfaced with two or more remote devices until the timer expires is disclosed in column 3, lines 50-67 and also disclosed in fig. 2. The reference discloses storing media packets in probes, which are interfaced with H323/IP, ISDN, POTS (remote devices) for a particular session.

Regarding claims **7, 21, 29 & 39,** Fig.3 of Mottishaw et al. further discloses the limitation media packets comprise real time protocol (RTP) packets and real time control protocol (RTCP) packets.

Regarding claims **8 & 23**, Mottishaw et al further discloses the network comprises an Internet Protocol (IP) network, an Asynchronous Transfer Mode (ATM network or a Frame Relay network in column 1, lines 24-26.

Regarding claims **9, 18, 30 & 40,** Mottishaw et al further discloses the media packet comprise audio information in column 7, line 27. The reference discloses the distributed monitoring system provide information about the voice packets.

Regarding claims **10, 19, 31 & 41,** Mottishaw et al further discloses the media packet comprise video information in column 7, line 27. The reference discloses the distributed monitoring system provide information about the video packets.

Regarding claims **11, 20 & 32,** Mottishaw et al further discloses the media packet comprise data information in column 7, line 27. The reference discloses the distributed monitoring system provide information about the fax.

Regarding claims **12, 24, 28 & 42,** Mottishaw et al further discloses the step of receiving a request further comprises receiving notification of potential error in the network through alarm generated by central agent in column 4, lines 37-42. The reference discloses an alarm is generated to the network operator to indicate an error.

Regarding claims **13, 22 & 34,** Mottishaw et al further discloses the step of determining that the distributed timer has expired in column 3, lines 54-57. The reference discloses determining the end of particular session.

Regarding claim **14 & 33**, Fig 2 of Mottishaw et al further discloses the step of receiving the request comprises of initiating the distribution of the capture agent by the system administrator at the central device. The reference discloses network operator in response to an alarm monitors the network by sending probes(capture agent) from the Data management Infrastructure (central device) column 3, lines 47-67 and column 4, lines 30-42.

Regarding claim **15**, Fig. 2 of Mottishaw et al discloses "An apparatus (Data Management Interface) for identifying errors in a packet–based network".

The limitation apparatus having an interface operable to couple to a network is also disclosed in Fig. 2 of Mottishaw et al. The reference discloses Data Management Interface (apparatus) having an interface to couple to IP network and Packet Switch telephone Network PSTN.

The limitation apparatus having a storage medium is disclosed in column 3, lines 60-65. The reference discloses a Data Management interface is responsible for storage of complete service details records.

The limitation apparatus having a processing resource coupled to the storage medium is disclosed in column 3, line 48-68. The reference discloses Data Management Interface stores (storage medium) and processes (processing resource) the data to produce service details records.

The limitation processing resource including a capture agent distributed by a central agent located at a central device is disclosed in Fig. 2 or column 3, lines 35-45. The reference discloses probes (capture agent) are distributed from the Data Management Interface (central agent at a central device).

The limitation, plurality of media packets on the network is collected between two or more endpoints in response to a request to monitor the network, the request received by the central agent is disclosed in Fig. 2 or column 3, lines 35-45. The reference discloses probes (capture agent) are distributed from the Data Management Interface (central agent at a central device) to monitor the network.

The limitation to store the media packets in the storage medium until a timer expires is disclosed in column 3, lines 50-67. The reference discloses probes are interfaced with the remote device (H.323/IP) to store the media packets for a particular session (until a timer expires).

A step of communicating the media packets to the central device via the interface when the timer expires is disclosed in column 3, lines 54-67. The reference discloses probes forwards the data records about a particular session (timer expires) from the remote device to the Data Management Interface (central device).

Mottishaw et al. fails to teach method being used in video conferencing. Fig. 1 of Beyda discloses a method of monitoring a videoconference on a network between two video conferencing capable terminals.

At the time the invention was made it would have been obvious to one in ordinary skill in the art to add video conferencing capable terminal of Beyda et al. to H.323 PC of Mottishaw et al. One in ordinary skill in art would have been motivated to do this to monitor the bandwidth requirement for video conferencing (see column 1, lines 65 –67 of Beyda et al.).

Regarding claim **16**, Mottishaw et al. further discloses in column 3, lines 48-60 the method of further comprising analyzing the media packets at the capture agent to determine one or more network parameters that caused an error in the videoconference. The reference discloses probes (capture agent) may generate partial service level details records.

Mottishaw et al. fails to teach method being used in video conferencing. Fig. 1 of Beyda discloses a method of monitoring a videoconference on a network between two video conferencing capable terminals.

At the time the invention was made it would have been obvious to one in ordinary skill in the art to add video conferencing capable terminal of Beyda et al. to H.323 PC of Mottishaw et al. One in ordinary skill in art would have been motivated to do this to monitor the bandwidth requirement for video conferencing (see column 1, lines 65 –67 of Beyda et al.).

Regarding claim **25**, Fig. 2 of Mottishaw et al. discloses, "a system for identifying errors in a video conference conducted on a packet-based network"

Fig. 2 of Mottishaw et al. discloses first endpoint operable to couple to a network and first endpoint located in a first collision domain. The reference discloses H.323 PC (first endpoint) located in an IP network (first collision domain).

Fig. 2 of Mottishaw et al. discloses second endpoint operable to couple to the network, the second end point located in a second collision domain. The reference discloses POTS terminal (second endpoint) located in PSTN network (second collision domain).

The limitation a central device operable to couple to the network and distribute a capture agent to a first remote device associated with the collision domain and a second remote device associated with the second collision domain in response to receiving a request to monitor the network is disclosed in Fig. 2 or column 3, lines 35-45. The reference discloses probes (capture agent) are distributed from the Data Management

Interface (central device) to monitor the first and second device in first and second collision domain respectively.

The limitation capture agent collects a plurality of media packets is disclosed in column 3, lines 54-60. The reference discloses probe (capture agent) collects plurality of media packets.

The limitation store the media packet in a first storage medium interfaced with the first remote device and a second storage medium interfaced with the second remote device until a timer expires is disclosed in column 3, lines 50-67. The reference discloses probes are interfaced with the remote devices to store the media packets for a particular session (until a timer expires).

The limitation, to communicate the media packet from the first storage medium to the central device when the timer expires is disclosed in column 3, lines 54-67. The reference discloses probes forwards the data records about a particular session (timer expires) from the remote device to the Data Management Interface (central device).

Mottishaw et al. fails to teach method being used in video conferencing. Fig. 1 of Beyda discloses a method of monitoring a videoconference on a network between two video conferencing capable terminals.

At the time the invention was made it would have been obvious to one in ordinary skill in the art to add video conferencing capable terminal of Beyda et al. to H.323 PC of Mottishaw et al. One in ordinary skill in art would have been motivated to do this to monitor the bandwidth requirement for video conferencing (see column 1, lines 65 –67 of Beyda et al.).

Regarding claim **35**, Mottiishaw et al. further discloses the timer expires after the capture agent collects a predetermined number of media packets is disclosed in column 3, lines 50-67. The reference discloses probes are interfaced with the remote devices to store the media packets for a particular session (until a timer expires).

Regarding claim **36**, Fig 2 of Mottishaw et al. further discloses the "the first remote device (H.323/IP) associated with the first collision domain (IP network), the first switch port (H.323/IP) operable to monitor network traffic between the two or more endpoints (H.323 PC and GSM/IP Gateway) with in the first collision domain (IP network); and

Fig 2 of Mottishaw et al. further discloses the "the second remote device (POTS) associated with the second collision domain (PSTN), the second switch port (POTS) operable to monitor network traffic between the two or more endpoints (POTS Terminals) with in the second collision domain (PSTN).

Regarding claim **37**, Fig.2 of Mottishaw et al. teaches "a method for identifying errors in a packet-based network".

A step of receiving a request to monitor the network during a conference conducted between two or more end points is disclosed in column 3, lines 25-33. The reference discloses a distributed monitoring system to collect data from a packet data network and provide a real-time view of services on the network.

A step of distributing a capture agent from a central agent at a central device to a remote device in response to a request, the capture agent operable to collect plurality of media packets transmitted and received by the two or more endpoints is disclosed in

Fig. 2 or column 3, lines 35-45. The reference discloses probes (capture agent) are distributed from the Data Management Interface (central agent at a central device) to collect the media packet in the network.

A step of storing media packets in a storage medium interfaced with each of the two or more end points until the end of conference is disclosed in column 3, lines 50-67. The reference discloses probes are interfaced with the remote device (H.323/IP) to store the media packets for a particular session (end of video conference).

A step of communicating the capture file from the remote device to the central device when the conference ends is disclosed in column 3, lines 54-67. The reference discloses probes forwards the data records about a particular session from the remote device to the Data Management Interface (central agent at a central device).

Mottishaw et al. discloses in column 4, lines 10-19 the method of analyzing the media packets at the central device to determine one or more network parameters that caused an error in the videoconference. The reference discloses that distributed monitoring system is arranged to correlate real-time data from these probes to determine the network parameters that caused errors in conference.

Mottishaw et al. fails to teach method being used in video conferencing. Fig. 1 of Beyda discloses a method of monitoring a videoconference on a network between two video conferencing capable terminals.

At the time the invention was made it would have been obvious to one in ordinary skill in the art to add video conferencing capable terminal of Beyda et al. to H.323 PC of Mottishaw et al. One in ordinary skill in art would have been motivated to do this to

monitor the bandwidth requirement for video conferencing (see column 1, lines 65 –67 of Beyda et al.).

5. Claims **1,15,25 & 37** are also rejected under 35 U.S.C. 103(a) as being unpatentable over Fletcher et al. (US 6,108,782) in view of Beyda et al. (US 6,453,336).

Regarding claim **1**, Fig.1 of Fletcher et al. teaches "a method for identifying errors in a packet-based network".

A step of receiving a request to monitor a network between two or more end points is disclosed in column 8, line 45-55. The reference discloses capture agents monitor the network on receiving message from the collector.

A step of distributing a capture agent from a central agent at a central device to a remote device in response to a request, the remote device associated with a collision domain that contains one of the two end points is disclosed in column 8, lines 45-55.The reference discloses collector (central agent at a central device) distributes the configuration messages to the dRMON agent (capture agent) connected to the remote device.

A step of collecting a plurality of media packets associated with the conference in a capture file until a timer expires, the capture file located in a storage medium interfaced with the remote device is disclosed in column 8, lines 45-55 and column 14, line 4-8. The reference discloses that the media packets are captured at the dRMON agent and sent to the collector during the polling interval. Since the media packet are captured at the agent and sent only after the polling interval, so it is obvious that the media packets are stored in the dRMON agent.

A step of communicating the capture file from the remote device to the central device when the timer expires is disclosed in column 14, line 4-8. The reference discloses that the media packets are sent to the capture agent at the end of polling interval.

Fletcher et al. fails to teach method being used in video conferencing. Fig. 1 of Beyda discloses a method of monitoring a videoconference on a network between two video conferencing capable terminals.

At the time the invention was made it would have been obvious to one in ordinary skill in the art to use dRMON agent of Fletcher to monitor video conferencing capable terminal of Beyda et al. One in ordinary skill in art would have been motivated to do this to monitor the bandwidth requirement for video conferencing (see column 1, lines 65 – 67 of Beyda et al.).

Regarding claim **15**, Fig.1 of Fletcher et al. discloses "An apparatus (dRMON Collector) for identifying errors in a packet–based network".

The limitation apparatus having an interface operable to couple to a network is also disclosed in Fig.1 of Fletcher et al. The reference discloses dRMON Collector (apparatus) having interfaces 72a, 72b, 72c, 72d to couple to a network.

The limitation apparatus having a storage medium is disclosed in column 1-line 65-column 2, lines 1-5. The reference discloses that the end station where the Agent resides is a computer or workstation. It is well known in art that computers or workstations to have some kind of storage medium.

The limitation apparatus having a processing resource coupled to the storage medium is disclosed in column 1-line 65-column 2, lines 1-5. The reference discloses that the end station where the Agent resides is a computer or workstation. It is well known in art that computers or workstations to have some kind of processing resource coupled storage medium.

The limitation processing resource including a capture agent distributed by a central agent located at a central device is disclosed in Fig. 1 or column 8, lines 30-55. The reference discloses the dRMON agent (capture agent), which is present at the End station and is receiving and responding to the message from the collector (central agent at a central device).

The limitation, plurality of media packets on the network is collected between two or more endpoints in response to a request to monitor the network, the request received by the central agent is disclosed Fig. 1 or column 8, lines 45-55. The reference discloses performing packet capture by the dRMON agent (capture agent), which is receiving and responding to the message from the collector (central agent at a central device).

The limitation to store the media packets in the storage medium until a timer expires is disclosed in column 8, lines 45-55 and column 14, line 4-8. The reference discloses that the media packets are captured at the dRMON agent and sent to the collector during the polling interval. Since the media packet are captured at the agent and sent only after the polling interval, so it is obvious that the media packets are stored in the dRMON agent.

A step of communicating the media packets to the central device via the interface when the timer expires is disclosed in column 14, line 4-8. The reference discloses that the media packets are sent to the capture agent at the end of polling interval.

Fletcher et al. fails to teach method being used in video conferencing. Fig. 1 of Beyda discloses a method of monitoring a videoconference on a network between two video conferencing capable terminals.

At the time the invention was made it would have been obvious to one in ordinary skill in the art to use dRMON agent of Fletcher to monitor video conferencing capable terminal of Beyda et al. One in ordinary skill in art would have been motivated to do this to monitor the bandwidth requirement for video conferencing (see column 1, lines 65 – 67 of Beyda et al.).

Regarding claim **25**, Fig.1 of Fletcher et al. discloses, "a system for identifying errors in a packet-based network"

Fig.1 of Fletcher et al. discloses first endpoint operable to couple to a network and first endpoint located in a first collision domain also disclosed in column 2, line 5-9. The reference discloses 52a, 52b, 52c etc (first endpoint) located in a first collision domain.

Fig.1 of Fletcher et al. discloses second endpoint operable to couple to the network, the second end point located in a second collision domain also disclosed in column 2, line 5-9. The reference discloses 51a, 51b, 51c etc (second endpoint) located in a second collision domain.

Fig.1 of Fletcher et al. discloses central device (dRMON) collector operable to couple to the network and distribute a capture agent (dRMON agents) to a first remote device (52a, 52b, 52c etc) associated with the collision domain and a second remote device (51a, 51b, 51c) associated with the second collision domain in response to receiving a request to monitor the network also disclosed in column 8, lines 31-55.

The limitation capture agent collects a plurality of media packets is disclosed in column8, lines 45-55. the reference discloses that the dRMON agent (capture agent) collects the packets received at the end station.

The limitation storing the media packet in a first storage medium interfaced with the first remote device and a second storage medium interfaced with the second remote device until a timer expires is disclosed in column 8, lines 45-55 and column 14, line 4-8. The reference discloses that the media packets are captured at the dRMON agent and sent to the collector during the polling interval. Since the media packet are captured at the agent and sent only after the polling interval, so it is obvious that the media packets are stored in the dRMON agent.

The limitation, to communicate the media packet from the first storage medium to the central device when the timer expires is disclosed in column 14, line 4-8. The reference discloses that the media packets are sent to the capture agent at the end of polling interval.

Fletcher et al. fails to teach method being used in video conferencing. Fig. 1 of Beyda discloses a method of monitoring a videoconference on a network between two video conferencing capable terminals.

At the time the invention was made it would have been obvious to one in ordinary skill in the art to use dRMON agent of Fletcher to monitor video conferencing capable terminal of Beyda et al. One in ordinary skill in art would have been motivated to do this to monitor the bandwidth requirement for video conferencing (see column 1, lines 65 – 67 of Beyda et al.).

Regarding claim **37**, Fig.1 of Fletcher et al. teaches "a method for identifying errors in a packet-based network".

A step of receiving a request to monitor the network during a conference conducted between two or more end points is is disclosed in column 8, line 45-55. The reference discloses capture agents monitor the network on receiving message from the collector.

A step of distributing a capture agent from a central agent at a central device to a remote device in response to a request, the capture agent operable to collect plurality of media packets transmitted and received by the two or more endpoints is disclosed in is disclosed in column 8, lines 45-55.The reference discloses collector (central agent at a central device) distributes the configuration messages to the dRMON agent (capture agent) connected to the remote device.

A step of storing media packets in a storage medium interfaced with each of the two or more end points until the end of conference is disclosed column 8, lines 45-55 and column 14, line 4-8. The reference discloses that the media packets are captured at the dRMON agent and sent to the collector during the polling interval. Since the media

packet are captured at the agent and sent only after the polling interval, so it is obvious that the media packets are stored in the dRMON agent.

A step for communicating the capture file from the remote device to the central device when the conference ends is disclosed in column 14, line 4-8. The reference discloses that the media packets are sent from the dRMON capture agent to the dRMON collector at the end of polling interval.

The method of analyzing the media packets at the central device to determine one or more network parameters that caused an error in the conference is disclosed in column 9, lines 33-37. The reference discloses that the dRMON collector receive the data captured from the dRMON agents and analyses the collected data.

Fletcher et al. fails to teach method being used in video conferencing. Fig. 1 of Beyda discloses a method of monitoring a videoconference on a network between two video conferencing capable terminals.

At the time the invention was made it would have been obvious to one in ordinary skill in the art to use dRMON agent of Fletcher to monitor video conferencing capable terminal of Beyda et al. One in ordinary skill in art would have been motivated to do this to monitor the bandwidth requirement for video conferencing (see column 1, lines 65 – 67 of Beyda et al.).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art made of record and not relied upon is considered

pertinent to applicant's disclosure are Fletcher et al. (US 6,269,401), Roy (US 6,697341), Wan et al. (US 6,529,475), and Michalewicz (US 6,826,708).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Puneet Bhandari whose telephone number is 571-272-2057. The examiner can normally be reached on 9.00 AM To 5.30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Examiner
Art Unit 2666

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DANG TON
PRIMARY EXAMINER